



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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August 30, 1993

Mr. Richard W. Harris, Esq.  
Harris, Trimmer & Thompson  
6121 Lakeside Drive  
Suite 260  
Reno, Nevada 89511

Dear Mr. Harris:

Re: Permitting Information Request, Exploration NOI - Spratling Claim Group,  
Barneys Canyon Mine, E/035/002 & M/035/009, Salt Lake County, Utah

On August 16, 1993, the Division received your telefaxed letter, on behalf of the LaFleur family, wherein you expressed their concern over the scope of Kennecott's ongoing condemnation drilling project involving the Spratling claim group. The LaFleur's hold a 5/32 undivided interest in the mineral rights associated with the Spratling claims.

As you know, there is no regulatory provision requiring the Division to contact the surface and/or mineral owner(s) listed on an Exploration Notice of Intention (NOI). It is the operator's responsibility to acquire the appropriate surface and mineral "rights-of-entry", before entering upon and/or commencing exploration activities on lands within the state of Utah. However, because the LaFleur's had filed a formal written objection with this office regarding Kennecott's forthcoming application for a mine plan expansion (involving the Spratling group), we felt obligated to contact them to confirm that they were knowledgeable of Kennecott's exploration intentions.

Your letter indicates that if the LaFleur's are not satisfied with the results of Kennecott's exploration program, they may formally object to the next stage of planned development which involves waste rock disposal on the LaFleur/Kennecott property. Your letter also states that the LaFleur family may seek a hearing before the Division or Board of Oil, Gas and Mining to help resolve their concerns.



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Please be advised that you have a right to file a request for an informal conference or hearing with this office. However, the Division or Board have no regulatory authority to resolve legal disputes involving surface or mineral ownership.

In closing, you requested that we provide you (and Mr. LaFleur) with notice of all **future** applications, permits, and hearings regarding Kennecott's activities on the Spratling claim group. We will notify you and Mr. LaFleur accordingly. Please contact me if I can answer any other questions or concerns you may have in this regard.

Sincerely,



D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb

cc: Dave Hodson, Barneys Cyn. Mine  
Hal LaFleur  
Lowell Braxton, DOGM

E053002.req

*with copy of Fax from Richard Harris 8/13/93*